

## REMARKS

Applicant respectfully requests further examination and reconsideration in view of the instant response. Claims 1, 3-14, 16-20 and 22-24 remain pending in the case. Claims 1, 3-14, 16-20 and 22-24 are rejected. Claims 2, 4, 9, 15, 18, 21 and 24 are cancelled. Claims 1, 8, 10, 12, 14, 17, 20, 22 and 23 are amended herein. No new matter has been added.

### 35 U.S.C. §102(e)

Claims 1, 3, 7, 12-14, 16, 20 and 22 are rejected under 35 U.S.C. §102(e) as being anticipated by Hart (US 6408310). Applicant has reviewed the cited reference and respectfully submits that the embodiments of the claimed invention as set forth in Claims 1, 3, 7, 12-14, 16, 20 and 22 are not anticipated or rendered obvious thereby.

The Examiner is directed to independent Claim 1 which is drawn to a method of archiving a database. Claim 1 is presented below in its entirety for convenient reference of the Examiner.

1. A method of archiving a database, comprising:  
storing a plurality of archive logs comprising a plurality of transactions on an operational database;  
transmitting a plurality of asynchronous streams to a backup database wherein a first asynchronous stream of said plurality of asynchronous streams is transmitted asynchronously with respect to a second asynchronous stream of said plurality of asynchronous streams, wherein each asynchronous stream of the plurality of asynchronous streams corresponds to a particular archive log of the plurality of archive logs, and wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel; and  
updating the backup database with the plurality of transactions.

Independent Claims 12, 14 and 20 recite similar limitations. Claims 3 and 7 that depend from independent Claim 1, Claim 13 that depends from independent Claim 12, Claim 16 that depends from independent Claim 14, and Claim 22 that depends from independent Claim 20 provide further recitations of features of the present invention.

Hart does not anticipate or render obvious the embodiments of the claimed invention as are set forth in Claims 1-27. Hart is deficient as Hart does not teach or suggest all of the limitations of the aforementioned Claims. In particular, Hart does not teach or suggest a method of archiving a database that includes transmitting a plurality of asynchronous streams “wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel” as is set forth in Claim 1 (Claims 12, 14 and 20 contains similar limitations).

Hart discloses a dissimilar system and method for expediting transfer of sectioned audit files from a primary host to a secondary host. Hart discloses that asynchronous audit writes enable faster audit generation at a source generation host. However, providing for asynchronous audit writes is very different from enabling the setting in a config file of a predetermined number of asynchronous streams to be transmitted in parallel.

Applicant respectfully submits that nowhere in Hart is a method of archiving a database that includes transmitting a plurality of asynchronous streams wherein a predetermined number of the plurality of asynchronous streams (that is set by a user in a

config file) are transmitted simultaneously in parallel” as is set forth in Claim 1 (Claims 12, 14 and 20 contains similar limitations). Consequently, the embodiments of the claimed invention as set forth in Claims 1, 12, 14 and 20 are neither anticipated nor rendered obvious by Hart.

Therefore, Applicant respectfully submits that Hart does not teach or suggest the embodiments of the present invention as recited in Claims 3 and 7 that depend from independent Claim 1, Claim 13 that depends from independent Claim 12, Claim 16 that depends from independent Claim 14, and Claim 22 that depends from independent Claim 20. Therefore, Applicant respectfully submits that Claims 3, 7, 13, 16, and 22 overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on allowable base claims.

35 U.S.C. §103(a)

Claims 8-11, 17-19, 23 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent 6,085,298 by Ohran, hereinafter referred to as the “Ohran” reference, in view of United States Patent 6,408,310 by Hart. Applicant has reviewed the cited references and respectfully submits that the embodiments of the present invention as recited in Claims 8-11, 17-19, 23 and 24 are not anticipated or rendered obvious by Ohran in view of Hart.

The Examiner is directed to independent Claim 8 which is drawn to a method of performing automatic recoveries on an archived database. Claim 8 is presented below in its entirety for convenient reference of the Examiner.

8. A method of performing automatic recoveries on an archived database, comprising:  
    comparing files residing on an operational database to files residing on a backup database;  
    determining whether there are any missing files by checking for files which exist on the operational database and which do not exist on the backup database;  
    recopying files from the operational database over to the backup database which are missing;  
    determining whether there are any corrupted files by checking for files which have a different size on the operational database as compared to corresponding file residing on the backup database;  
    recopying files from the operational database to the backup database which have become corrupted, wherein the automatic recovery process is run by a program automatically in the background without requiring initiation and is run independent of a complete system backup;  
    and transferring a predetermined plurality of files simultaneously in parallel from the operational database to the backup database.

Independent Claims 17 and 23 recite similar limitations. Claims 9-11 that depend from independent Claim 8, Claims 18 and 19 that depend from independent Claim 17, and Claim 24 depends from independent Claim 23 and set forth additional limitations of the claimed invention.

Ohran in view of Hart does not anticipate or render obvious the embodiments of the claimed invention as are set forth in Claims 1-27. Ohran in view of Hart is deficient as the primary reference Ohran does not teach or suggest all of the limitations of the aforementioned Claims and the secondary reference Hart does not remedy the

deficiencies of Ohran. In particular, Ohran does not teach or suggest a method of performing automatic recoveries on an archived database that includes “transferring a predetermined plurality of files simultaneously in parallel from the operational database to the backup database” as is set forth in Claim 8. And, Hart does not teach these limitations to remedy the deficiencies of Ohran.

Ohran discloses a system and method for backing up a primary storage device to a backup storage device (col. 5, lines 24-27). The focus of Ohran is a backup system that determines the difference between data located on the primary storage device and a backup storage device, and then backs up changed data (col. 5, lines 30-40). It should be appreciated that these operations are very different from operations involved in performing automatic recoveries on an archived data base that includes transferring a plurality of files simultaneously in parallel as is set forth in Claim 8 (Claims 17 and 23 contain similar limitations).

Applicants respectfully submit that nowhere in Ohran reference is a method of performing automatic recoveries on an archived database that includes transferring a predetermined plurality of files simultaneously in parallel from the operational database to the backup database taught or suggested.

Hart does not teach or suggest a modification of Ohran that would remedy the deficiencies of Ohran outlined above. In particular, Hart does not teach or suggest a method of performing automatic recoveries on an archived database that includes

“transferring a predetermined plurality of files simultaneously in parallel from the operational database to the backup database” as is set forth in Claim 8 (Claims 17 and 23 contain similar limitations). Hart discloses a dissimilar system and method for expediting transfer of sectioned audit files from a primary host to a secondary host. Hart discloses that asynchronous audit writes enable faster audit generation at a source generation host. However, providing for asynchronous audit writes is very different from enabling the transmission of a predetermined number of asynchronous streams in parallel.

Applicants respectfully submit that nowhere in the Hart reference is a method of performing automatic recoveries on an archived database that includes transmitting a plurality of asynchronous streams wherein a predetermined number of the plurality of asynchronous streams are transmitted in parallel as is set forth in Claim 8 (Claims 17 and 23 contain similar limitations) taught or suggested. Consequently, the embodiments of the claimed invention as set forth in Claims 8, 17 and 23 are neither anticipated nor rendered obvious by Hart.

Accordingly, Applicant respectfully submits that Claims 8, 17 and 23 are in condition for allowance. Furthermore, Applicant respectfully submits that Claims 9-11 that depend from independent Claim 8, Claims 18 and 19 that depend from independent Claim 17, and Claim 24 that depends from independent Claim 23 are likewise in condition for allowance.

35 U.S.C. §103(a)

Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hart (US 6,408,310) in view of Hart (US 6,430,577) (hereinafter “Hart 577”) and further in view of Nielsen (5,812,398). Applicant has reviewed the cited references and respectfully submits that the embodiment of the claimed invention as set forth in Claim 5.

The Examiner is directed to independent Claim 1 (upon which Claim 5 depends) which is drawn to a method of archiving a database. Claim 1 is presented below in it's entirety for convenient reference of the Examiner.

1. A method of archiving a database, comprising:  
storing a plurality of archive logs comprising a plurality of transactions on an operational database;  
transmitting a plurality of asynchronous streams to a backup database wherein a first asynchronous stream of said plurality of asynchronous streams is transmitted asynchronously with respect to a second asynchronous stream of said plurality of asynchronous streams, wherein each asynchronous stream of the plurality of asynchronous streams corresponds to a particular archive log of the plurality of archive logs, and wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel; and  
updating the backup database with the plurality of transactions.

Claim 5 depends from independent Claim 1 and sets forth additional limitations of the claimed invention.

Hart in view of Hart (577) and Nielsen does not anticipate or render obvious the embodiment of the claimed invention as is set forth in Claim 5. Hart in view of Hart (577) and Nielsen is deficient as the primary reference Hart does not teach or suggest all of the limitations of the aforementioned Claim and the secondary references Hart (577)

and Nielsen do not remedy the deficiencies of Hart. In particular, Hart does not teach or suggest a method of archiving a database that includes transmitting a plurality of asynchronous streams “wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel” as is set forth in Claim 1 (from which Claim 5 depends). And, the secondary references Hart (577) and Nelsen do not teach these limitations to remedy the deficiencies of Hart.

Hart discloses a dissimilar system and method for expediting transfer of sectioned audit files from a primary host to a secondary host. Hart discloses that asynchronous audit writes enable faster audit generation at a source generation host. However, providing for asynchronous audit writes is very different from enabling the setting in a config file of a predetermined number of asynchronous streams to be transmitted in parallel.

Applicants respectfully submit that nowhere in Hart is a method of archiving a database that includes transmitting a plurality of asynchronous streams wherein a predetermined number of the plurality of asynchronous streams (that is set by a user in a config file) are transmitted simultaneously in parallel” as is set forth in Claim 1. Consequently, the embodiments of the claimed invention as set forth in Claim 1 is neither anticipated nor rendered obvious by Hart.

Hart (577) does not teach or suggest a modification of Hart that would remedy the deficiencies of Hart outlined above. In particular, Hart (577) does not teach or suggest a method of archiving a database that includes transmitting a plurality of asynchronous



streams “wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel” as is set forth in Claim 1. Hart (577) discloses a dissimilar system and Method for asynchronously receiving multiple packets of audit data from a source database host in a resynchronization mode and asynchronously writing the data to a target host. However, nowhere in the Hart (577) reference is a method of archiving a database that includes transmitting a plurality of asynchronous streams wherein a predetermined number of the plurality of asynchronous streams (that is set by a user in a config file) are transmitted simultaneously in parallel” as is set forth in Claim 1 (Claim 5 depends from Claim 1).

Nielsen does not teach or suggest a modification of Hart and Hart (577) that would remedy the deficiencies of Hart and Hart (577) outlined above. In particular, Hart does not teach or suggest a method of archiving a database that includes transmitting a plurality of asynchronous streams “wherein a predetermined number of the plurality of asynchronous streams, that is set by a user in a config file, are transmitted simultaneously in parallel” as is set forth in Claim 1. Nielsen discloses a dissimilar method and system for escrowed backup of hotelled world wide web sites. However, nowhere in the Nielsen reference is a method of archiving a database that includes transmitting a plurality of asynchronous streams wherein a predetermined number of the plurality of asynchronous streams (that is set by a user in a config file) are transmitted simultaneously in parallel” as is set forth in Claim 1 (Claim 5 depends from Claim 1).

Therefore, Applicant respectfully submits that Hart in view of Hart (577) and Nielson does not anticipate or render obvious the embodiment of the present invention as recited in Claim 5 that depends from independent Claim 1. Therefore, Applicant respectfully submits that Claim 5 overcome the rejection under 35 U.S.C. § 103(a), and are in a condition for allowance as being dependent on allowable base claims.

### CONCLUSION

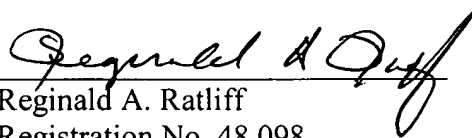
Based on the arguments presented above, Applicant respectfully solicits allowance of the pending Claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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